

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NEWPORT NEWS DIVISION

UNITED STATES OF AMERICA)	
<i>ex rel.</i> HOANG CAM NGUYEN,)	
)	
Plaintiff,)	
)	Civil No. 4:24-CV-5
v.)	
)	FILED UNDER SEAL AND EX PARTE
HEATHER McDONALD,)	PURSUANT TO 31 U.S.C. § 3730(b)
DAVID BITONTI, and)	
JOHN “JACK” MARTIN,)	
)	
Defendants.)	

UNITED STATES’ RESPONSE TO RELATOR’S MOTION TO VOLUNTARILY DISMISS
AND THE GOVERNMENT’S REQUEST TO UNSEAL

Relator filed a Motion to Voluntarily Dismiss this action. Plaintiff United States files this response to Relator’s Motion.

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States hereby notifies the Court that the Attorney General of the United States consents to the dismissal of this action without prejudice to the rights of the United States, based on the determination that such a dismissal is commensurate with the public interest and that the matter does not warrant the continued expenditure of government resources to pursue or monitor the action based on currently available information.

Further, the United States respectfully requests the relator’s Complaint, Amended Complaint, this Response, and the attached proposed Order be unsealed. We request that all other papers on file in this action remain under seal because in discussing the content and extent

of the United States' investigation, such paper are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order is attached.

Respectfully submitted,

JESSICA D. ABER
United States Attorney

By:

 Clare P. Wuerker, AVSA for

CLARE P. WUERKER, VSB No. 79236
Assistant United States Attorney
Counsel for the United States
2100 Jamieson Avenue
Alexandria, VA 22314
Tel: (703) 236-3850
Fax: (703) 299-3983
Email: Clare.Wuerker@usdoj.gov

DATED: April 3, 2024